

C1
cont'd

the pGL3PV HRE/SIL expression vector with five base overlap (SEQ ID NO:8) between silencer and conditionally inducible elements.

REMARKS

The specification has been amended to incorporate the substitute sequence listing submitted herewith. I hereby state that the content of the paper and computer-readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same. I hereby state that the submission herein under 37 C.F.R. §1.821(g) does not include new matter.

The specification has also been amended at the paragraph at page 4, line 17, Brief Description of Fig. 2, to include reference to new SEQ ID NO: 17, the designation for the sequence shown in originally-filed Fig. 2A. A marked version showing the amendments to the specification is attached hereto as Exhibit A; additions are underlined and deletions are bracketed. Because SEQ ID NO: 17 identifies a sequence that is part of the original application, amendment of the Brief Description of Fig. 2 to include reference to this sequence does not constitute new matter. The Brief Description of Fig. 2 is also amended to describe Figs. 2A and 2B separately. No new matter is added by this amendment.

No fees are believed due in connection with this submission. However, if there is a fee due, please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is attached.

Respectfully submitted,

Date December 18, 2002

By: Lawrence S. Gordin Reg. No. 49,020
Adriane M. Antler 32,605
Adriane M. Antler (Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

Enclosures

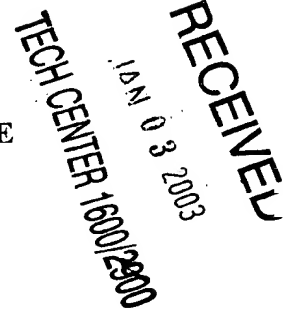


EXHIBIT A MARKED VERSION SHOWING CHANGES MADE IN THE
SPECIFICATION

U.S. APPLICATION SERIAL NO. 09/723,326
(ATTORNEY DOCKET NO. 10989-004-999)

(as amended December 18, 2002)

Fig. 2A depicts construction of the pGL3PV HRE/SIL series of expression vectors with no overlap between silencer and conditionally inducible elements (SEQ ID NOS:5-7, each of which includes SEQ ID NO: 17 as shown). Fig. 2B depicts construction of the pGL3PV HRE/SIL expression vector [or] with five base overlap (SEQ ID NO:8) between silencer and conditionally inducible elements.